



PATENTS
Attorney Docket No. 25352-0011

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Derek P. Freyberg, Reg. No. 29,250

4/1/03
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Richard Sportsman et al. : Confirmation No.: 8219

App. No.: 09/748,665 : Art Unit: 1617

Filed: December 21, 2000 : Examiner: Mojdeh Bahar

For: Nonpeptide insulin receptor agonists

Commissioner for Patents
Washington DC 20231

Sir:

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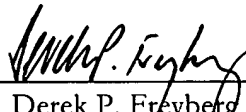
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The owner, Telik, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173, as shortened by any terminal disclaimer, of US Patent No. 5,830,918. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or is terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any way terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned is an attorney of record.

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By: 
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* PTO suggested wording for terminal disclaimer was used unchanged.

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